

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHAS. M. SLEDD COMPANY,

Plaintiff,

17cv1292

ELECTRONICALLY FILED

v.

WEISS ENTERPRISES, INC. ET AL.,

Defendants.

ORDER OF COURT

AND NOW, this 14th day of December, the Court takes judicial notice of the fact that two of the four Defendants to this civil action – Weiss Enterprises, Inc., and Brian C. Weiss – have filed for bankruptcy under Chapter 7 of the United States Bankruptcy Code. See case nos. 17-BK-24398-CMB and 17-BK-24509-TPA, both filed in the United States Bankruptcy Court for the Western District of Pennsylvania.

Because the sole claim brought against the remaining two defendants, Edward (“Eddie”) R. Weiss and Sharyn Weiss, is a claim which alleges that fraudulent transfer of assets (pursuant to 12 Pa.C.S.A. § 5101), occurred when Brian Weiss allegedly transferred assets to Eddie and Sharyn Weiss (Brian’s parents and Co-Defendants in this action), the Court finds that this claim also falls within the jurisdiction of the Bankruptcy Court. See [ECF 1 at p. 10](#).

Thus, pursuant to the automatic stay provision of the Bankruptcy Code, 11 U.S.C. § 362, and the factual nexus and nature of the claim brought against the non-debtors/Co-Defendants, the Court ORDERS this case STAYED until the conclusion of the bankruptcy proceedings or until the United States Bankruptcy Court for the Western District of Pennsylvania issues an Order

lifting the stay. The Motion to Dismiss ([ECF 14](#)) filed by Defendants is hereby DENIED as MOOT but WITHOUT PREJUDICE re-raise the matters asserted therein at a later date.

SO ORDERED, this 14th day of December, 2017.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Court Judge

cc: All ECF Registered Counsel of Record
Hon. Carlotta Bohm, Judge for the United States Bankruptcy Court
Hon. Thomas Agresti, Judge for the United States Bankruptcy Court